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06 UNITED STATES DISTRICT COURT
07 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

08 UNITED STATES OF AMERICA,)
09 Plaintiff,) CASE NO. CR09-157-MJP
10 v.)
11 BOEMONT JAMES BRIDE,) SUMMARY REPORT OF U.S.
12 Defendant.) MAGISTRATE JUDGE AS TO
ALLEGED VIOLATIONS
OF SUPERVISED RELEASE
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14 An evidentiary hearing on supervised release revocation in this case was scheduled before
15 me on March 29, 2011. The United States was represented by AUSA Francis Franze-Nakamura
16 and the defendant by Corey Endo and Jennifer Wellman. The proceedings were digitally
17 recorded.

18 Defendant had been sentenced in the District of Montana on or about August 30, 2006
19 by the Honorable Jack D. Shanstrom on a charge of Manufacture of Counterfeit Currency, and
20 sentenced to 36 months custody, 3 years supervised release. (Dkt. 3 at 25-26.) The case was
21 transferred to this District on May 20, 2009. (Dkt. 3 at 1.)

22 The conditions of supervised release included the standard conditions plus the

01 requirements that defendant participate in substance abuse testing, participate in a substance
02 abuse treatment program, submit to search, provide financial information to his probation officer
03 on request, abstain from alcohol, and pay restitution in the amount of \$420.

04 On July 2, 2009, the conditions of supervised release were modified to require defendant
05 to participate in the home confinement program with electronic monitoring and sobriety for 120
06 days. (Dkt. 4.) On October 6, 2009, the conditions of supervised release were modified to require
07 an additional 150 days in the program. (Dkt. 5.) On April 12, 2010, defendant's probation officer
08 reported that he had violated the conditions of supervision by consuming alcohol. Defendant's
09 treatment plan was revised, and no additional action was taken. (Dkt. 6.)

10 In an application dated March 7, 2011 (Dkt. 7, 8), U.S. Probation Officer Monique D.
11 Neal alleged the following violations of the conditions of supervised release:

12 1. Failing to participate in substance abuse testing on January 25 and January 26,
13 2011 in violation of the special condition which states that the defendant shall participate in
14 substance abuse testing during the period of supervision.

15 2. Using methamphetamine on or before January 27, January 31, and February 9,
16 2011, in violation of standard condition No. 7.

17 3. Using amphetamines and or methamphetamine on or before February 25, 2011,
18 in violation of standard condition No. 7. (A reference to use on March 1 was deleted upon motion
19 of the government. Dkt. 14.)

20 4. Committing the crime of Driving While License Suspended on or about March
21 1, 2011, in violation of the standard condition which states that the defendant shall not commit
22 another federal, state or local crime.

5. Failing to follow the instructions of the probation officer by continuing to use “Spice”, a synthetic cannabinoid, after he was directed not to use the intoxicant on January 31, 2011, in violation of standard condition No. 3.

Defendant was advised in full as to those charges and as to his constitutional rights.

The government moved to dismiss alleged violation 4. Defendant admitted alleged violations 1, 2, 3 (as amended) and 5, and waived any evidentiary hearing as to whether they occurred. (Dkt. 14.)

I therefore recommend the Court find defendant violated his supervised release as alleged, that the Court dismiss violation 4, and that the Court conduct a hearing limited to the issue of disposition for violations 1, 2, 3, and 5. The next hearing will be set before Judge Pechman.

Pending a final determination by the Court, defendant has been released on the conditions of supervision.

DATED this 29th day of March, 2011.


Mary Alice Theiler
United States Magistrate Judge

cc: District Judge: Honorable Marsha J. Pechman
AUSA: Francis Franze-Nakamura
Defendant's attorney: Corey Endo, Jennifer Wellman
Probation officer: Monique D. Neal